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VOLUME IV.

"LIBERTY, THE UNION, AND THE CONSTITUTION."

CITY OF WASHINGTON, SATURDAY MORNING, FEBRUARY 24, 1849.

ANNUAL REPORT OF THE COMMISSIONER OF PATENTS.

UNITED STATES PATENT OFFICE, January, 1849.

Sir: In accordance with the provisions of the act of Congress entitled "An act in addition to the act to promote the progress of science and the useful arts..."

The whole number of applications for patents, received during the year ending on the 31st of January, 1849, is sixteen hundred and seventy-seven.

The whole number of patents issued during the year 1848 is six hundred and sixty, including twenty-three reissues.

As a much larger proportion of the applications are referred to the Commissioner of Patents, than in former years, it is deemed necessary to notice particularly the action of the office with reference to that class of its business.

The reports of the office during the year 1848, including the amount paid into the treasury on applications for patents, events, reissues, disclaimers, additional improvements, extensions, recording assignments and other papers, and for copies, amount, in the whole, to the sum of \$76,576 50.

The expenses of the office during the year 1847 are as follows: For salaries, \$22,500 00; temporary clerks, \$1,950 00; for stationery, \$3,348 50; for printing, \$1,414 90; for fuel, \$1,700 00; for rent, \$1,000 00; for postage, \$1,000 00; for the act of Congress for his relief, approved August 5, 1848, \$1,000 00; amounting in the whole to the sum of \$31,813 61, as per statement marked B.

There was also expended during the last year, under the act of March 3, 1847, for the purchase of models, drawings, the sum of \$4,444, as per statement marked C.

The aggregate expenditures under the different heads above enumerated, including money refunded on withdrawals of patents, which had been paid in by mistake, and \$25,930 50 in advance to be carried to the credit of the Patent fund, amounting to the sum of \$57,754 11.

On the first day of January, 1849, the amount of money in the treasury to the credit of the Patent fund was \$307,164 50. The amount of money received during the year 1848, from the Patent fund, including the balance paid in during the year 1848, was, on the first day of January, 1849, \$216,469 50.

The large balance over expenditures which have accrued during the last four years were caused in part by the great increase of applications for patents, which accumulated to such a degree as to far exceed the ability of the examining branch of the office to dispose of them, thus occasioning a great accumulation of applications for patents, as compared with former years. That cause has been removed by the recent increase of the force of the office, and it may be expected that until the office is increased to such a degree as to far exceed the ability of the examining branch of the office to dispose of them, thus occasioning a great accumulation of applications for patents, as compared with former years.

By the act of Congress approved May 27, 1848, two principal and two assistant examiners, and four clerks, were added to the force of the office, and the number of examiners were raised from \$1,500 a year to \$2,500, and the assistant examiners from \$1,250 to \$1,500.

The clerks authorized by the act before mentioned were all appointed on the 1st of August, 1848, and the increase of the number of examiners and clerks, and of salaries, provided for by the act of May 27, 1848, will occasion an addition to the annual expenditures of the office of \$10,000, or thereabouts, and it is deemed expedient to recommend that the sum of \$10,000 be appropriated for the purpose.

Notwithstanding this addition to the permanent expenditures of the office, it is deemed expedient to recommend that the sum of \$10,000 be appropriated for the purpose, and it is deemed expedient to recommend that the sum of \$10,000 be appropriated for the purpose.

The rigid examination of the present embarrasments. The rigid examination of the present embarrasments. The rigid examination of the present embarrasments.

Within a few years the inventive genius of this country, under some stimulus or other, not readily perceived, has moved more than usually active, and has produced more than usual results. The inventive genius of this country, under some stimulus or other, not readily perceived, has moved more than usually active, and has produced more than usual results.

The individuals who are appropriately denominated "pirates," as it is a business which is not only profitable, but also a source of revenue to the Government.

and remorses invasion of the rights of patentees, by persons who have no claim nor pretension to the name of inventor, or to the fruits of inventive genius, point with impetuosity to the Government, and appeal to the wisdom of Congress, to redress the wrongs which have been committed.

It is therefore hoped that Congress will speedily act upon this matter, and thus provide for the protection of a class of men who contribute so much to the convenience, comfort, and luxuries of the community, and to the progress of society in science and civilization.

And surely the depreder upon the rights of the patentee—rights which are solemnly and sacredly guaranteed to him by law, on the condition that he surrenders to the public the full and entire right of his invention, and that he nor the protection of the legislator. The willful infringement of the rights of the inventor is as base and corrupt, morally, as the class of criminals known as common thieves.

The quantity of wheat raised in the United States during the last year, according to the estimates of this office, is not less than 126,000,000 bushels. The quantity of corn raised in the United States during the last year, according to the estimates of this office, is not less than 185,000,000 bushels.

It must be obvious, upon the least reflection, that the best and truest interests of society will be added and advanced by the adoption of a system of policy, with regard to inventors, which will give them adequate security and protection in the enjoyment of their rights.

It has come to the knowledge of the undersigned, since his last report, that one method of evading the rights of the inventor, by the construction and use of a machine, is to copy the substance of the invention, and to sell it as a new invention, without any acknowledgment of the original inventor.

The protection, therefore, of our own citizens holding patents, and the protection of the rights of the inventor in this country, is a subject of great importance, and one which should be the subject of the most anxious consideration of Congress.

At present, the subject of a foreign government who apply for a patent in this country, is to pay to the Commissioner of Patents, before his application can be received, what the American citizen is required to pay only \$30.

It is even if it were just to make a discrimination in favor of American citizens with regard to the fees for the sale of the rights of their inventions, it is not just to the interest of this country, and therefore not expedient.

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required to disclose his secret, and a rigid examination should be made into its novelty in this and other countries, as is now made with original inventions, before a patent of importation is granted in the United States.

The undersigned having had an opportunity during the past year to attend several of the mechanical fairs which have been held in various cities in the United States, and being able to bear testimony in favor of the present flourishing condition of the arts and manufactures, the beauty, ingenuity, and skill of workmanship displayed by our artisans cannot be surpassed.

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which succeeded best in our soil and climate, and appear to be of superior varieties, have been preserved for distribution. Native seeds have also been obtained, and will be distributed.

This office is also indebted to Lieutenant Lynch, the commander of the expedition to the Dead Sea, for many interesting varieties of seeds, which have been kindly placed at the disposal of this office by the Secretary of the Navy, which will form a part of the seeds distributed during the present year.

Much complaint has been made by inventors on account of the appropriation of a small portion of the Patent fund, each year, for the agricultural reports. Mature reflection, however, has convinced me that no injustice is done to the interests of inventors by such an application of the Patent fund; but on the contrary, the interests of the Patent Office, and of the country, are promoted by its use.

The agricultural report of the office, by its wide dissemination throughout the country, has contributed much to increase the reputation and influence of the Patent Office, and to spread more widely among the people a knowledge of the new inventions and improvements which have been made during the year. And thus it promotes the interests of inventors, by contributing to the more rapid introduction and sale of their machines and improvements.

In the pursuit of the statistical investigations this office has been enabled to obtain a great amount of accurate and reliable information concerning the great industrial interests of the country. No provision has been made by the general government for obtaining such information, except in relation to the foreign commerce of the country, and not very full and satisfactory means for obtaining such information in relation to their industrial interests.

The patent system of the United States having existed in some form or other for nearly sixty years, and having become a very important and interesting institution, I came to the conclusion that a very brief statistical notice of the legislation affecting it, its financial operations, and the progress of invention as exhibited by its records, was much needed, and would be acceptable as a part of the annual report of this office.

The increasing business of the Patent Office has added so much to the duties imposed upon the chief justice of this country, that it was necessary to provide for the discharge of the duties of the office, and for the discharge of the duties of the office, and for the discharge of the duties of the office.

The liberal provision made by Congress, each year, for the library of the Patent Office, has secured extensive and valuable additions to its size and usefulness. When I first assumed the duties of Commissioner of Patents, the library contained about 3,000 volumes.

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Patent fund amounted to the sum of \$170,779 20. On the first day of January, 1849, it amounted to the sum of \$216,469 50.

The contrast of the business operations and finances of the office during the two periods above stated, is not made with a view to institute an invidious comparison between the administrations of my immediate predecessor and myself—on the contrary, the affairs of the office were administered with great ability, prudence, and economy, by the late Commissioner; but it is made with a view to show the progress of the institution during the last four years; which is also interesting as an indication of the progress of the country in its population, wealth, and in its cultivation and improvement of science and the useful arts.

The exhibit which I have made in this and previous portions of my report, of the affairs and business of the Patent Office, show that it will soon be necessary not only to enlarge the Patent Office building, but to increase its clerical force. And as it required three years of persevering effort on my part, sustained by the auxiliary aid of loud complaints on the part of applicants for patents, growing out of the delay occasioned by the great accumulation of business which could not be done, to obtain the late addition which has been made to the clerical force of the office, I have deemed it my duty now to apprise Congress that but a very few years will elapse before another addition to its force will be necessary.

The bill requires the Commissioner of Patents to report to Congress the operations of the Patent Office from January to January, and not from July to July, as in other branches of the government. Consequently, the report of the office cannot be commenced until after the calendar year expires. It will be necessary, for the office, to prepare a report, but a very brief report for the preparation of his report, particularly in short sessions of Congress. Thus hastily prepared, it must necessarily be imperfect. And, in the desire of the undersigned to make his report as early a day as possible during the present session, he has been necessarily compelled to defer the preparation of several tables required to illustrate the subjects treated in the report, until they will be needed by the printer. This explanation was deemed necessary to be given to the absence.

All which is respectfully submitted.

EDMUND BURKE, Commissioner of Patents.

To the Hon. ROBERT C. WOODRUFF, Speaker of the House of Representatives.

CERTAIN CURE FOR TOOTHACHE.—If any person is suffering with toothache, it can be cured in one minute by the application of Wheeler's Tooth Wash, and yet the tooth will be protected by it from all decay and preserved in a serviceable state.

Having used Wheeler's Tooth Wash for diseased teeth and gums, and found that although before its use my teeth were in a very bad state, and the lower teeth were laid back, a few applications of this tooth wash effectually cured all disease. I recommend it to the public in general, as a very efficacious, and safe remedy for toothache.

REMEDIES—SOFTNESS OF THE GUMS.—In all cases of softness of the gums, even though the teeth may have become loose, and the gums are perfectly cured will be made of both the softness of the gums and the looseness of the teeth, by the use of Wheeler's Tooth Wash.

Having used Wheeler's Tooth Wash for two years, and found that although before its use my teeth were in a very bad state, and the lower teeth were laid back, a few applications of this tooth wash effectually cured all disease. I recommend it to the public in general, as a very efficacious, and safe remedy for toothache.

During the teething of a child, to alleviate soreness and fever in the gums, after other very good articles had failed, owing to its severity, Wheeler's Tooth Wash, much diluted, was used; and it subdued all soreness and swelling, and prevented the eruption of the teeth.

It keeps the gums and mouth fresh, pure, and healthy, creating a healthy action and circulation in the gums, and its softening and tenderizing effects on the teeth and gums, for which I recommend it.

Having used Wheeler's Tooth Wash for some time, I feel warranted to say that it meets with my entire satisfaction, and to recommend it to the use of the public, feeling assured that all who will use it will appreciate its merits.

I have used Wheeler's Tooth Wash, and found it to be a most valuable and safe remedy for toothache, and for the cure of all diseases of the teeth and gums, for which I recommend it.

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IN CONGRESS OF THE U. STATES. Thirtieth Congress—Second Session. FRIDAY, FEBRUARY 23, 1849. SENATE.

A message was received from the President of the United States, transmitting a report of the Secretary of State, with copies of the correspondence between the Department of State and the Spanish authorities, made in compliance with the provisions of the act of Congress, passed on the 22d ult., in the case of William Henry Bush, a citizen of the United States; which was read and ordered to be printed.

MEMORIALS AND PETITIONS. Mr. WALKER presented a petition from citizens of Carson, in the State of Wisconsin, asking that the right of way for the railroad, which was granted by the act of Congress, passed on the 22d ult., in the case of William Henry Bush, a citizen of the United States; which was read and ordered to be printed.

Mr. KING presented a memorial from William A. Campbell, surviving partner of James C. Watson, deceased, asking that the right of way for the railroad, which was granted by the act of Congress, passed on the 22d ult., in the case of William Henry Bush, a citizen of the United States; which was read and ordered to be printed.

Mr. FOOTE presented a memorial from citizens of Mississippi, asking a grant of land to aid in the construction of the Mobile and Ohio railroad; which was referred to the Committee on the Public Lands.

Mr. SEABASTIAN presented a memorial from citizens of Missouri, asking a grant of land for the construction of the Hannibal and St. Louis railroad; which was referred to the Committee on the Public Lands.

Mr. CLARKE submitted the following resolution, which was considered and agreed to: Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of retaining the military force of an act making provision for an additional number of general officers, and for other purposes, approved 21 March, 1847, and that the committee report by bill or otherwise.

Mr. SEABASTIAN submitted the following resolution, which was considered and agreed to: Resolved, That the Secretary of the Senate be hereby directed to deliver to the Committee on Patents, for the use of the undersigned, 500 copies of the report of the committee on the expiration of steam boilers ordered to be printed at the present session.

The following resolution, adopted yesterday by Mr. PARSONS, was considered and agreed to: Resolved, That the Secretary of the Treasury be directed to communicate to the Senate whether additional rooms are needed for the use of the government for the sale of cotton, wool, and other commodities, and whether, in his opinion, the building on the corner of F and 17th streets, belonging to the United States, is suitable for such purposes; and whether it is expedient to purchase said building, if the same can be had for a reasonable price.

Mr. JOHNSON of Louisiana moved to postpone the report of the committee on the petition of Joseph Poindeux, for the relief of George Poindeux, which was not agreed to.

Mr. YULEE, from the Committee on Naval Affairs, to whom was referred the petition of Charles Colburn, asking pay for the full term of his enlistment, made an adverse report on the same; which was ordered to be printed.

Mr. BARNES, from the Committee on Claims, to whom was referred the petition of Martha Damon, widow of Christopher Tompkins, asked to be discharged from the further consideration of the petition of Calvin Blythe, executor of Captain Jesse D. Elliot; which was agreed to.

Also, from the same committee, to which was referred the petition of Maria Damon, widow of Christopher Tompkins, asked to be discharged from the further consideration of the same, and that it be referred to the Committee on Revolutionary Claims; which was agreed to.

Mr. HUNTER, from the Committee on Finance, to whom was referred the petition in relation to goods destroyed by fire, asked to be discharged from the further consideration of the petition of John Hanson and Joseph Hedrick on the roll of messengers, reported back the same with a recommendation that it be adopted.

Mr. DAVIS, from the Committee on Claims, to whom was referred the petition of the grand-children of Major General Baron De Kalb, reported back the same with a recommendation that it be adopted.

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* I should Mr. Smith for writing work out of office hours, on the agricultural report, under Mr. Ellsworth's, on the agricultural report.